

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Leroy Hall McCoy,

Petitioner

v.

Calvin Johnson, *et al.*,

Respondents

Case No.: 2:21-cv-01966-APG-EJY

**Order that Petitioner may File Reply to  
Answer by March 17, 2025**

In his *pro se* 28 U.S.C. § 2254 petition for a writ of habeas corpus Leroy Hall McCoy challenges his convictions for kidnapping, attempted murder, and battery. ECF No. 6. The court previously granted McCoy's motion to voluntarily dismiss his unexhausted claims, and the respondents filed an answer to the remaining claim in the petition (ground 1(c)). ECF Nos. 39, 41. McCoy has now submitted a letter to the court that appears to reflect confusion about the current status of this case. First, the court notes that the Local Rules prohibit parties from sending correspondence such as letters to the court. LR IA 7-1. All communications with the court must be styled as a motion, stipulation, or notice. Second, McCoy seems to state that he returned to state court in order to try to exhaust unexhausted claims.<sup>1</sup> However, the court denied McCoy's motion to stay this case so that he could return to state court. ECF No. 38. Further, McCoy voluntarily dismissed his unexhausted claims. ECF Nos. 39, 40. The court now gives McCoy an

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<sup>1</sup> The court takes judicial notice of the Nevada appellate online docket, which reflects that McCoy filed a second state postconviction petition. Case No. 88423. The Nevada Court of Appeals affirmed the denial of that petition in November 2024 as procedurally barred because it was untimely and successive. The court further stated that McCoy did not allege that he had good cause to excuse those procedural bars.

1 extension to file a reply to the respondents' answer to his remaining claim. The court will then  
2 consider the claim on its merits.

3 I THEREFORE ORDER that the **petitioner may file a reply to the respondents'**  
4 **answer, if any, by March 17, 2025.**

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6 DATED this 3rd day of February, 2025.

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9 ANDREW P. GORDON  
10 CHIEF UNITED STATES DISTRICT JUDGE  
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